

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EVA NEWBOLD,

Plaintiff,

Case No. 06-CV-10334

v.

HONORABLE AVERN COHN

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

_____ /

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
AND
DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
AND
REMANDING MATTER FOR FURTHER ADMINISTRATIVE PROCEEDINGS**

I.

This is a social security case. Plaintiff Eva Newbold appeals from the final determination of the Commissioner of Social Security (Commissioner) that she is not disabled and therefore not entitled to disability insurance benefits. The matter was referred to a magistrate judge for all pretrial proceedings. Plaintiff and the Commissioner filed cross motions for summary judgment. The magistrate judge issued a report and recommendation (MJRR) recommending that plaintiff's motion be granted, the Commissioner's motion be denied, and that the matter be remanded for further administrative proceedings.

II.

Neither party has filed objections to the MJRR. Accordingly, the findings and conclusions of the magistrate judge are adopted as the findings and conclusions of the Court. Plaintiff's motion for summary judgment is GRANTED. The Commissioner's motion for summary judgment is DENIED. This matter is REMANDED for further administrative proceedings consistent with the MJRR.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: February 22, 2007

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, February 22, 2007, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160